

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Blue Spike, LLC,

Plaintiff,

V.

Texas Instruments, Inc., et al.,

Defendants.

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Case No. 6:12-cv-00499-MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

V.

Zeitera, LLC, et al.,

Defendants.

Case No. 6:12-cv-00568-MHS

CONSOLIDATED CASE

Jury Trial Demanded

**SUPPLEMENTAL DECLARATION OF ASLAM KHADER IN SUPPORT OF
DEFENDANT ENSEQUENCE, INC.'S REPLY**

I, Aslam Khader, declare that:

1. I am Chief Technology and Product Officer of Ensequence, Inc. (“Ensequence”), and I make this supplemental declaration for and on behalf of Ensequence in the matter referenced above and in support of Ensequence’s Reply in support of its Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue. I have personal knowledge of the matters contained herein.

2. I have reviewed the Complaint in the above referenced matter, which contains Blue Spike, LLC's ("Blue Spike") allegation that Ensequence's products infringe Blue Spike's

patents because they allegedly use Zeitera's automatic content recognition systems ("ACRS technology") using fingerprint technology. I also have reviewed Blue Spike's Opposition to Ensequence's Motion to Dismiss, which asserts more broadly that Ensequence's products infringe because they allegedly use some unspecified digital fingerprinting technology.

3. These allegations and assertions are incorrect. Ensequence has not made, used, imported, sold or offered to sell in Texas any Ensequence product that uses Zeitera's ACRS technology, or ACRS technology made by any other company, or any fingerprint technology. Moreover, Ensequence has not sold, and is not offering to sell, in Texas or anywhere else, any product that uses Zeitera's ACRS technology, any other ACRS technology, or any fingerprinting technology.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 16th day of November, 2012.

/s/ Aslam Khader
Aslam Khader

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 24th day of June, 2013 (re-filed from November 19, 2012 per Court's consolidated order), with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3).

/s/ Douglas L. Sawyer

Douglas L. Sawyer